

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of : Weaver et al.

Serial No. : 10/817,271

For : **Method for Preparing  
Light-Absorbing Polymeric  
Compositions**

Filed : April 4, 2004

Examiner : Kosack, Joseph R.

Art Unit : 1783

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**ELECTION AND RESPONSE**

In response to the Office Action mailed October 3, 2006, Applicants elect Group VIII corresponding to compounds of claim 63. Regarding a single compound, Applicants elect a compound of Group VIII wherein R<sub>16</sub>' is hydrogen and Sub<sub>2</sub> is -NHCH<sub>2</sub>CH(CH<sub>3</sub>)<sub>2</sub>.

Applicants respectfully traverse the present Restriction Requirement on the basis that conducting a search on all the claims would not be unduly burdensome on the Examiner. According to the Office Action, the compounds of Groups I-XXIII fall within the same classes, namely classes 540, 544, 546, 548, and 549. As a result, a search for one group of compounds would likely provide references for the other compound groups.

Moreover, the Office Action does not provide any support for the restrictions of the Markush groups. The Office Action, for example, does not provide a basis for holding (1) that the compounds do not share a common utility or (2) that the compounds do not share a substantial structural feature disclosed as being essential to that utility.